

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

CHAMBERS OF  
JOSEPH J. FARNAN, JR.  
JUDGE

LOCKBOX 27  
844 KING STREET  
U.S. COURTHOUSE  
WILMINGTON, DELAWARE 19801  
(302) 573-6155

September 6, 2007

John G. Day, Esquire  
Ashby & Geddes  
500 Delaware Avenue  
P.O. Box 1150  
Wilmington, Delaware 19899

William J. Marsden, Jr., Esquire  
Fish & Richardson P.C.  
Suite 1100  
919 N. Market Street  
P.O. Box 1114  
Wilmington, Delaware 19899-1114

RE: Power Integrations, Inc. v. Fairchild Semiconductor International, et al.,  
Civil Action No. 04-1371-JJF

Dear Counsel:

The Court has received the parties letters (D.I. 514, 516) concerning the impact of the Federal Circuit's recent decision, In re Seagate Technology, LLC, Misc. Docket No. 830 (Fed. Cir. Aug. 20, 2007), on the upcoming invalidity trial scheduled for September 17, 2007. The Court has reviewed the decision in Seagate and concludes that it does not undermine the Court's decision to bifurcate the issues of infringement and willfulness from invalidity. The focus of the Seagate decision is the standard to be applied to the question of willfulness and the scope of the waiver of the attorney-client privilege and work product doctrine when advice of counsel is asserted. The Court does not read Seagate to effectuate a change in the trial court's discretion to manage a trial utilizing such tools as bifurcation. Accordingly, the Court will not disturb the trial date for the invalidity trial.

Sincerely,



JOSEPH J. FARNAN, JR.

JJFjr: rjp

cc: Clerk, U.S. District Court